

AMENDED

NO. 65119

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAY 13 1999
Returned to applicant for correction MAY 21 1999
Corrected application filed JUN 10 1999
Map filed JUN 10 1999 under 21206

The applicant Bill McInnis, hereby makes application for permission to change the a portion of the waters of the Point of Diversion of Permit 21206 Cert. 6536 and the place of use revised. of water heretofore appropriated under Permit 21206, Certificate No. 6536

1. The source of water is underground
2. The amount of water to be changed .255 c.f.s., 100.15 acre feet
3. The water to be used for irrigation
4. The water heretofore permitted for irrigation
5. The water is to be diverted at the following point in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 2, T.3S., R.67E., M.D.M., or at a point from which the south quarter corner of said section 2 bears S. 4 $^{\circ}$ 22' 50" E. 1082.45 ft.
6. The existing permitted point of diversion is located within in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 2, R.3S., R.67E., M.D.M., or at a point from which the southwest corner of said section 2 bears S. 67 $^{\circ}$ 17' W., a distance of 2843.10 ft.
7. Proposed place of use in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2, and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ the NE $\frac{1}{4}$ NE $\frac{1}{4}$, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$, of Section 11, all in T.3S., R.67E., M.D.M.
8. Existing place of use in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2, the NE $\frac{1}{4}$ NW $\frac{1}{4}$, the NW $\frac{1}{4}$ NE $\frac{1}{4}$ AND NE $\frac{1}{4}$ NE $\frac{1}{4}$ os Section 11, all in T.3S., R.67E., M.D.M. Acreages to be stripped are: (by interpretation of the PBU map for 21206) SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec.2: 3.15 acres; NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11: 0.11 acres; NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 11: 16.63 acres: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11: 0.14 acres.
9. Use will be from January 1st to December 31st of each year.
10. Use was permitted from January 1st to December 31st of each year.
11. Description of proposed works a Well, with 12 3/4" casing, 400 feet deep which is existing (Log No. 73128 filed with Div. Water Res.) with 8" and 6" pipeline
12. Estimated cost of works \$80,000
13. Estimated time required to construct works 2 years, Well is completed, (above description) Pipelines and land preparation not completed.
14. Estimated time required to complete the application of water to beneficial use 3 years
15. Remarks: The existing well does not produce sufficient water to irrigate the 66.80 acres Permitted. Therefore, the new well =is to provide the difference. The Place of use is also modified to make use of acreages more economical to work with.

By Lenard D. Smith
Lenard D. Smith Agent
Box 443
Caliente, Nevada 89008

Compared gkl/cms hs/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 21206, Certificate 6536 is issued subject to the terms and conditions imposed in said Permit 21206, Certificate 6536 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 21206, Certificate 6536 and Permit 65119 shall not exceed 334.0 acre-feet annually for the irrigation of 66.8 acres within the described place of use.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.255 cubic feet per second, but not to exceed 100.15 acre-feet annually, and not to exceed a yearly duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

June 8, 2001

Proof of completion of work shall be filed before:

July 8, 2001

Water must be placed to beneficial use on or before:

June 8, 2003

Proof of the application of water to beneficial use shall be filed on or before:

July 8, 2003

Map in support of proof of beneficial use shall be filed on or before:

July 8, 2003

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 8th day of, June A.D. 2000


State Engineer

Completion of work filed JUN 03 2002

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____